

## **REMARKS**

### Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the position that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the amendments to the claims and the following remarks.

### Claim Status

Claims 1-31 are pending in this Application.

Applicants gratefully acknowledge the Examiner's indication that claims 1 – 4 and 7 – 27 are allowed.

Claims 5 has been amended herein to recite that the strip conductors, the electronic components and one of the conductor areas are on one side of the flexible carrier material while the other conductor area is on the other side of the flexible carrier material. Probably, the best support for these amendments is in Fig. 3 where strip conductor 4, electronic component 5 an conductor area 17 are on one side of flexible carrier material 2 while conductor area 18 is on the other side of flexible carrier material 2.

#### Prior Art Rejection of Claim 5 and its Dependent Claims 5, 6 and 28 - 31

Claims 5, 6, and 29-31 were rejected under 35 USC 103(a) as being unpatentable over Takizawa et al. (6,948,856) in view of McIntosh et al. (6,151,967) and Tward (4,433,580). Claim 28 was rejected under 35 USC 103(a) as being unpatentable over Takizawa, McIntosh and Tward, as applied to claims 5, 6, and 29 – 31, and further in view of McDearmon (2002/0092360).

The Examiner recognizes that Takizawa does not teach the limitations of sensing element as capacitor with at least two plate-like conductor areas which are opposite one another and separated from one another by the flexible carrying material wherein the flexible carrier material is the dielectric. Next, the Examiner states that McIntosh et al. teach a capacitive transducer comprising a flexible dielectric 18, and that Tward discloses a pressure transducer “comprising a sensor element 10 that is a capacitor with at least two plate-like conductor areas b', c', b'', c'' which are opposite one another and thereby separate from one another by a dielectric material such as glass 18 . . . the first conductor area being provided on an upper side of the carrier material and the second conductor area being arranged on an underside of the carrier material.” (Page 3 of the Office Action).

The rejection then concludes that “Therefore, it would have been obvious (...) to modify Takizawa et al. according to the teachings of McIntosh et al. and Tward (...).”

McIntosh teaches capacitor 10 and Tward teaches a sensor 10 which has a capacitor inside the sensor. Replacing sensor 11 of Takizawa, with either capacitor

10 of McIntosh or with the capacitors in sensor 10 of Tward does not teach placing electronic components, strip conductors and one conductive area on one side of the flexible carrier material and the other conductive material on the other side of the flexible carrier material.

These deficiencies carry over to the rejection of dependent claim 28, as the additional reference cited there does not cure any of the shortcomings of the rejection of its parent.

The references provide neither motivation for their combination nor a way to reach what is set forth in these claims. Respectfully, the claims are patentable over the references taken alone or in combination.

#### Conclusion

In view of the foregoing, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested.

Should any fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account #02-2275.

Respectfully submitted,  
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